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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/647,140
Applicant : Kater D. HAKE et al.
Filed : August 25, 2003
TC/A.U. : 1638
Examiner : To Be Assigned

Docket No. : 1760-297
Customer No. : 06449
Confirmation No. : 1047

INFORMATION DISCLOSURE STATEMENT

Director of the United States Patent
and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Under the provisions of 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicant submits herewith information that the Office may wish to consider in examination of the subject application. Also attached is a Search Report/Written Opinion issued by the PCT in a co-pending related foreign application. Materials submitted for consideration are listed on the attached form PTO-1449. No action on the merits has been issued in the instant application, therefore Applicants believe that no fee is due. Should a fee be deemed necessary, the Office is authorized to charge any fee to deposit account no. 02-2135. A copy of this communication is enclosed for that purpose.

Applicants would like to bring the Examiner's attention to the references cited in the enclosed International Search Report and to the other references listed below, which also are listed in the accompanying Form 1449.

Chapman et al., J. Am. Oil Chemists Soc. 78:941-947 (2001) report the development of transgenic cotton plants with higher seed oleic acid levels by a targeted suppression of endogenous cottonseed FAD2 enzyme activity in the plants.

Cherry et al., "Food and Feeding Quality of Cottonseed," Cotton Physiology, the Cotton Foundation (1986) at 557-595, is a review article which provides an overview of the progress made in improving seed quality in cotton and information on the constituents of cottonseed of different varieties.


May, "Breeding Improvements - What does the future hold?", 14th Ann. EFS[®] Conference, June 11-13, 2001, suggests that seed oil can be used as an indirect selection criterion for enhanced cotton fiber yield. He reports, however, based on preliminary data, that the phenotypic correlations in the F2 generation of plants from a cross between high and low seed oil concentration parents, ACRI94216 and SureGrow 248, "revealed seed oil concentration was not highly correlated with the yield component or fiber quality traits."

U.S. Patent Nos. 5,723,765, 5,925,808 and 5,977,441 disclose genetic systems that can be used to control gene expression in plants.

In addition, Applicants would like to point out the National Cotton Variety Test data (Rayburn, 1989-2001), which are cited in the application. The published data for the year 2001 is included with this Information Disclosure Statement and is listed in the Form 1449 as an example of the type of data available to Applicants and discussed in the application (see Figures 1-3 and Examples discussing those Figures).

Respectfully submitted,

By

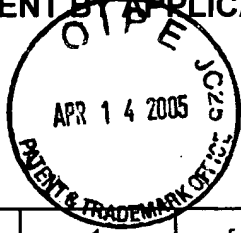


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Enclosure(s):

PTO Form 1449 w/References
International Search Report

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| INFORMATION DISCLOSURE STATEMENT BY APPLICANT  | | | | <i>Complete if Known</i> | |
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| Sheet | 1 | of | 11 | Attorney Docket Number | 1760-297 |

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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² | |
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